



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO.2842 OF 2023
IN
SUIT NO.539 OF 2019

Jasubhai Dayalbhai and ors

...Applicants / Plaintiffs

vs.

Ratilal Chimanlal Jariwal and ors

...Respondents / Defendants

Mr. Arun Mehta i/b. Akshar Laws for the Applicants / Plaintiffs.

CORAM : S. M. MODAK, J.

DATED : 27 OCTOBER 2023

P. C. :

1. Heard the learned advocate for the applicants / orig. plaintiffs.
2. The following parties have expired during the pendency of the present Suit. They are;

Plaintiff No.3	- Parvatiben Dahyabhai Mistry
Plaintiff No.4	- Chhaganbhai Narrottambhai Lad
Plaintiff No.17	- Kamlaben Jerambhai Prajapati
Plaintiff No.18	- Dhirajbhai Jerambhai Prajapati
Defendant No.5	- Daniben Somabhai Mistry

Their death certificates are annexed at page nos.34 to 38 to the Application. Some of them expired during the Covid pandemic period, so appropriate steps could not be taken. Prayer (a) mentions of deletion of

their names and for adding their legal heirs as per the schedule annexed.

A copy of this Application already served on defendant nos.1 to 3. No one has appeared on their behalf.

3. In view of the above, the Interim Application is allowed in terms of prayer clauses (a) and (b). Interim Application is accordingly disposed of.

4. Necessary amendment be carried out within four weeks and notice be issued to newly added legal heirs returnable on 22 December 2023. Re-verification is dispensed with.

5. The learned advocate for the plaintiffs is at liberty to file Vakalanamas on behalf of the legal heirs of deceased plaintiff.

[S. M. MODAK, J.]